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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/885,750
		Filing Date	Jun 19, 2001
		First Named Inventor	Hankins, Scott A.
		Group Art Unit	2151
		Examiner Name	Unassigned
Total Number of Pages in This Submission	11	Attorney Docket Number	011.0215.01

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Petition Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition for Corrected Filing Date and Corrected Filing Receipt	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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Remarks		
<p>The Commissioner is hereby authorized to charge any additional fees and credit any overpayments regarding this communication to Deposit Account 50-1144.</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Law Offices of Patrick J.S. Inouye
Signature	
Date	9/6/01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hankins et al.

Application No.: 09/885,750

Filed: June 19, 2001



Group Art Unit: 2151

Title: System And Method For Dynamically
Controlling A Rogue Application
Through Incremental Bandwidth
Restrictions

Examiner: Unassigned

Attorney Docket No.: 011.0215.01

PETITION TO CORRECT FILING DATE AND FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.10, please correct the filing date of the above-identified U.S. patent application to **June 19, 2001**. The Filing Receipt mailed on August 13, 2001, incorrectly shows a filing date of June 16, 2001.

The following documents are submitted in support of a June 19, 2001 filing date:

- (1) Copy of Express Mail Label No. EL793271872US, with correct date-stamp highlighted;
- (2) Copy of Return Receipt Postcard, showing "Date Mailed: June 19, 2001," as indicated in red;
- (3) Express Mail Tracking and Delivery record, printed from the official U.S. Postal Service Web Site, showing package acceptance on June 19, 2001, in Seattle, Washington;
- (4) Copy of Utility Patent Application Transmittal with the certificate of mailing certifying deposit with the U.S. Postal Service on June 19, 2001.

This Petition is necessitated by an error on the part of both the U.S. Postal Service and the U.S. Patent and Trademark Office (USPTO).

In filling out the information on the Express Mail label, the postal worker erroneously wrote "6 16 01." This handwritten date was the date entered by the USPTO when processing the application. However, the correct filing date of June 19, 2001, can be found on the official U.S. Postal Service date-stamp (enclosed), as well as on the other documents submitted in support of

this Petition.

The Filing Receipt contained a number of errors besides the erroneous filing date. Enclosed is a copy of the official Filing Receipt for the above-identified patent application, which has been marked in red ink to identify the corrections needed. Copies of the Patent Application Transmittal Sheet and filing fee payment check, verifying the correct information, are also enclosed. The corrections are as follows:

Under Fil Fee Rec'd, replace "1114" with --1600--.

Under Tot Claims, replace "38" with --50--.

No petition fee is enclosed, as the requested corrections are due to USPTO error.

Respectfully submitted,

Dated: Sept. 6, 2001

By: 

Patrick J.S. Inouye, Esq., Reg. No. 40,297

The Law Offices of Patrick J.S. Inouye
810 Third Avenue, Suite 258
Seattle, WA 98104
Telephone: (206) 381-3900
Facsimile: (206) 381-3999

Pet to Corr Filing Date



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/885,750	06/16/2001 06/19/2001	2151	1114 1600	011.0215.01	11	38 50	4

Law Offices of Patrick J.S. Inouye
810 Third Avenue Suite 258
Seattle, WA 98104



CONFIRMATION NO. 4021

FILING RECEIPT



OC000000006417580

Date Mailed: 08/13/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Scott A. Hankins, Cupertino, CA;
Brett A. Galloway, Los Altos, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/13/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

System and method for dynamically controlling a rogue application through incremental bandwidth restrictions

Preliminary Class

709

Data entry by : PHAM, TRUONG

Team : OIPE

Date: 08/13/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
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- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.
011.0215.01

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Scott A. Hankins, entitled System And Method For Dynamically Controlling A Rogue Application Through Incremental Bandwidth Restrictions, for an:

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____

() A statement claiming priority under 35 USC § 120 has been added to the specification.



22895

PATENT TRADEMARK OFFICE



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Enclosed are:

(X) Specification; 32 Total Pages. (X) Drawing(s); 11 Total Sheets.
 (X) Oath or Declaration:
 (X) A Newly Executed Combined Declaration and Power of Attorney:
 (X) Signed. () Unsigned. () Partially Signed.
 () A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
 () Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.
 () Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
 (X) Formal Drawings Transmittal Letter. (X) Return Receipt Postcard.
 () Associate Power of Attorney. (X) A Check in the amount of \$1600 for the Filing Fee.
 () Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
 (X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
 (X) Request and Certification Under 35 USC 122(b)(2)(B)(i)
 () Applicant claims small entity status.
 () Other: _____

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	50	30	\$18.00	\$ 540.00
Independent Claims	4	1	\$80.00	\$ 80.00
Multiple Dependent Claims (if applicable)				\$270.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$710.00
Total Filing Fee				\$1,600.00

Charge \$ _____ to Deposit Account 501144 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: Patrick J.S. Inouye
 Patrick J.S. Inouye, Esq., Attorney of Record
 Reg. No.40297

Date: June 19, 2001

Correspondence Address:

Law Offices of Patrick J.S. Inouye
 810 Third Avenue Suite 258
 Seattle, WA 98104
 Phone: (206) 381-3900
 Fax: (206) 381-3999

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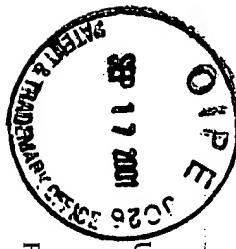
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U.S. Patent Application entitled: "System And Method For Dynamically Controlling A Rogue Application Through Incremental Bandwidth Restrictions"

Applicant(s):
Hankins

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 Request and Certification ~~Under~~ 35 USC 122(b)(2)(B)(i)
 Specification and Abstract: 26 pages (excluding claims)
 Claims: 6 pages
 Drawings: 11 pages
 Formal Drawings Transmittal Letter
 Other: Postcard

Attorney Docket No.: 011.0215.01
Date Mailed: June 19, 2001

Attorney: Patrick J.S. Ihouye
Reg. No. 40,297





PATRICK J.S. INOUYE, P.S.

Attorney At Law

Business Account

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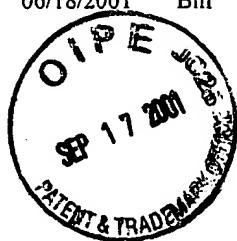
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